GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Water Resources Department – Proposal to sell the PWD Departmental Quarters which are under the control of Irrigation Department i.e. Quarter No.28-2 (an extent of 200.66 Square Yards including building) in favour of Sri Ch. Ganapathi Rao, Technical Assistant (now Assistant Engineer) on payment of nominal cost, basing on the orders issued in G.O. Ms. No.61, I & CAD Department (PW.NSP.I) Department, dated 3.7.2004 – Orders – Issued.

WATER RESOURCES (PROJECTS.I) DEPARTMENT

G.O.RT.No. 580 **Dated: 16-08-2018**

Read the following:

1. From the Asst Registrar, High Court of Judicature at Hyderabad for the State of Telangana and Andhra Pradesh, orders dated.18.12.2014 in WP No. 26406 of 2014
2. From the Deputy Registrar, High Court of A.P, orders dated. 15-06-2018.
3. Govt Memo.No. 14417/PROJ.I.A1/2014, dated. 18-06-2018.
4. From the Superintending Engineer, Irrigation Circle, Bobbili, Lr.No. 17 Govt/AB/EC-1, dated. 25-07-2018.

O R D E R:

The W.P.No. 26406/2014 was filed by Sri Chintala Ganapathi Rao and Sri G. Laxmi Naidu to pass appropriate orders for allotment of dilapidated quarter Nos 28-2 and 29-3 in Belagam, Parvathipuram Mandal, Vizianagaram District.

2. The High Court on 18-12-2014 has made the Order as follows: "1st Respondent is directed to sell the quarters to the petitioners as per G.O.Ms.No.61, dt: 03-07-2004. 1st respondent shall inform the petitioners of the nominal cost of these quarters within one month from the date of receipt of a copy of this order by stipulating time limit for payment of the said amount. If the petitioners pay the amount as determined by 1st respondent within the stipulated time, 1st respondent shall ensure that the quarters are registered in favour of the petitioners."

PTO

3. Mean while Sri Chintala Ganapathi Rao and Sri G.Lakshmi Naidu have filed a Contempt Case No.1449 of 2015 and CC No. 2585 of 2016 for disobedience of the order dated 18.12.2014 in WP No.26406 of 2014.

4. Further the A.P. High Court in its orders dated. 15-06-2018 upon perusing the affidavit filed therein and the earlier orders of the High Court dated. 30-12-2016, 19-01-2018, 16-02-2018, 02-03-2018, 16-03-2018 & 13-04-2018 made the following orders "Both the contemnors are personally present before the Court. Mr. Shashi Bhushan Kumar- respondent No.1- the Principal Secretary to the Government of Andhra Pradesh, has submitted that petitioner No. 2 has been dismissed from service and that he is prepared to implement the order of this court in letter and spirit in respect of petitioner No.1. He has requested for eight weeks time for this purpose. Post on 10-08-2018. If compliance of the order of this Court in respect of petitioner No. 1 is reported on the next date of hearing, respondent No.1 need not be personally present before the Court."

5. The Chief Engineer, North Coast, Visakhapatnam and the Superintending Engineer, Irrigation Circle, Bobbili have been requested vide reference 3rd read above to furnish the procedure followed by the Chief Engineer, Nagarajunasagara Project in disposing off the quarters of Nagarajunasagara dam to the occupants as per the orders issued vide G.O.MS.No. 61, I& CAD (PW:NSP I) Department dated. 03-07-2004.

6. In reply, the Superintending Engineer, Irrigation Circle, vide reference 4th read above has submitted that the cost of site is worked out based on the above two methods as detailed below.

1) The nominal cost as per G.O.Ms.No.61, dt:03.07.2004= Rs.200/-
Escalation charges @ 10% per year from
03.07.2004 to 3.7.2018 = 14 years.
Present cost = (200+14 X 200 X 10%) = Rs.480/-
Hence Present cost arrived is Rs.480/-

2) Present market value of the site per Sq.yard as per = Rs.4,800/-
Registration & Stamps Department as on 01.08.2017.
Add Escalation charges @ 10% as on 01.08.2018 = 1 year.
Present market value (4800+1X4800X10%) =Rs.5280/-per Sq.yard.

Contd..3

7. Government after careful examination hereby issue orders to sell the PWD quarter No 28-2 covering an extent of 200.66 sq yards including building in Belagam, Parvathipuram Mandal, Vizianagaram District which is under the control of Irrigation Department in favour of Sri Chintala Ganapathi Rao, Technical Assistant (now Assistant Engineer, Petitioner No.1) at the rate of nominal cost as per G.O.Ms.No. 61, I & CAD Department (PW.NSP.I) Department, dated. 03-07-2004 in compliance of the orders issued by the Hon'ble High Court of Judicature dated. 18-12-2014 in WP No. 26406 of 2014.

8. The Chief Engineer, North Coast, Visakhapatnam and the Superintending Engineer, Irrigation Circle, Bobbili shall take necessary action in the matter accordingly. Further, it is informed that this order issues as a special case without quoting it as a precedent case for future cases.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To
The Chief Engineer, North Coast, Visakhapatnam.
The Superintending Engineer, Irrigation Circle, Bobbili
Sri Chintala Ganapati Rao through the CE, North Coast,
Visakhapatnam

Copy to:

The Special Govt Pleader, O/o the Advocate General,
AP High Court, Hyderabad
P.S to Hon'ble C.M
P.S to Minister (WRD)
P.S to Secretary (WRD)
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER